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N8 Pharmaceuticals, Inc.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

N8 MEDICAL, INC.

Plaintiff,

and

BRIGHAM YOUNG UNIVERSITY,

Plaintiff-Intervenor.

v.

COLGATE-PALMOLIVE COMPANY,

Defendant.

N8 PHARMACEUTICALS, INC.,

Proposed Intervenor.

**NOTICE OF WITHDRAWAL
WITHOUT PREJUDICE OF
PROPOSED CROSS-CLAIM
AGAINST N8 MEDICAL, INC. AND
ALL RELATED REFERENCES IN
MOTION TO INTERVENE**

Case No. 2:13-cv-01017-BSJ

Intervenor N8 Pharmaceuticals, Inc. (“N8 Pharma”) hereby withdraws without prejudice its proposed cross-claim for declaratory relief against Plaintiff N8 Medical, Inc. (“N8 Medical”). Furthermore, N8 Pharma withdraws all references to that proposed cross-claim in N8 Pharma’s pending Amended Motion to Intervene (Dkt # 98).

DATED August 8, 2014

SMITH LC

/s/ Richard R. Thomas

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing NOTICE OF WITHDRAWAL WITHOUT PREJUDICE OF PROPOSED CROSS-CLAIM AGAINST N8 MEDICAL, INC. AND ALL RELATED REFERENCES IN MOTION TO INTERVENE was filed with the Court on this 8th day of August, 2014 and served via ECF on all parties who have requested notice:

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